

UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

Clerk's Minutes
Before the Honorable Judith C. Herrera

USA vs. **Jarvis, et al.** Case No. 05-1849 JH

Date: July 11, 2006

Courtroom Clerk: **Lincoln Sorrell** Court Reporter: **Paul Baca**

Court in Session: **1:38 p.m.** Court in Recess: **2:01 p.m.**

Type of Proceeding: **Status conference**

Court's Rulings/Disposition: **Proposed Discovery Order ordered from counsel**

Order Consistent with Court's Ruling to be Prepared by: **Parties**

Deadline for Submission of Order to Court: **Within one week**

Attorney(s) Present for Plaintiff(s): Attorney(s) Present for Defendant(s):

James Braun, Steve Kotz

**Joe Romero (Dana Jarvis); John Robbenhaar (Ayla Jarvis);
Jason Bowles (George Ripley); David Reid (Jerry Herrera);
Kari Converse (Greg Hill); Martin Lopez III (Gino Berthod);
Penni Adrian (Russell Trujillo); Timothy Padilla (Manuel
Gil); Scott Davidson, Mark Fine for Kirtan Khalsa (Sam
Jones); Ann Steinmetz (Mary Cannant); Robert Cooper
(Adrian Sanford); Gregory D'Antonio (Benjamin
Swentnickas) Robert Gorence (Dennis Wilson); Jerry Herrera
for Charles Aspinwall (John Nieto); Roberto Albertorio (Lloyd
Montoya); John Samore (Melania Kirwin); Kenneth Gleria
(Holly Bruner); Todd Hotchkiss (Dakota Fitzner); Rudolph
Chavez (Rafal Mistrak)**

Proceedings:

Court in Session:

1:38 p.m. Attorney appearances and stand-ins [see above].

Court: trial currently set in October 2006. Does this need to be bumped?
Government: Trial needs to be bumped b/c deadlines have been ignored and
superceding indictment names new defendants; Government has it's own proposal as
to new motion dates and deadlines.

- 1:41 p.m.** Defense (through Davidson): Defense proposal is that by July 14, the defendants would file a discovery motion. Standard response and reply times would apply. If a ruling came down by mid-Sept on this discovery motion, than all motions would be due Nov. 13; Responses would be due Jan. 11 (b/c of holidays) and replies due Jan. 25. February 7 would be the hearing date and April 7 the jury trial date. Also, defense would ask that Government name experts 90 days prior to trial date.
- 1:51 p.m.** Government (Braun): Government proposal would have defense motions due early Oct. 2006 with normal response times and trial in February 2007. Defense's Wiretap/discovery motion would be outside normal motions deadline.
- 1:55 p.m.** Court orders proposed discovery order and to be submitted within the week. Parties agree that government expert identification deadline should be 75 days prior to trial. Court will enter trial date based on other deadlines.
- 2:10 p.m.** Court in recess.